

# The Times-DiPATCH

DAILY—WEEKLY—SUNDAY  
 Business Office.....116 & Main Street,  
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BY MAIL. One Six Three One  
 POSTAGE PAID YEAR. Mon. Mo. Mo.  
 Daily with Sunday.....\$5.00 \$2.00 \$1.50  
 Daily without Sunday.....2.00 1.00 .75  
 Sunday edition only.....2.00 1.00 .25  
 Weekly (Wednesday). 1.00 .50 .25

By Times-DiPATCH Carrier Delivery Service in Richmond (and suburbs), Manchester and Petersburg—  
 One Week.  
 Daily with Sunday.....14 cents  
 Daily without Sunday.....10 cents  
 Sunday only.....5 cents

Entered January 27, 1905, at Richmond, Va., as second-class matter under act of Congress of March 3, 1879.

THURSDAY, JANUARY 14, 1909.

## SCOTCHING THE ANTI-REBATE LAW.

On the basis of results so far attained, it would have been more in the public interest if the government's famous suit against the Standard Oil Company had not been undertaken. Not only does no judgment now stand against the trust, but a ruling has been obtained, and now holds, which greatly weakens the people's chances in any future rebate cases. The apparent effect of it, indeed, is virtually to nullify the Elkins law.

This was Judge Grosvenor's ruling: that, to establish the guilt of a shipper in a rebate case, it must be shown that he knew the legal and proper rate and was consciously taking advantage of a "better" one. The difficulty, if not the impossibility, of proving such guilty knowledge is manifest. The least intelligent rebater is not likely to leave evidence of this sort where Federal attorneys can put their hands upon it. In court he can, with the Grosvenor decision behind him, insist that he supposed the rate offered him to be the usual one, deny all law-breaking intent and tacitly defy the government to controvert him.

The refusal of the Supreme Court to review the findings of the Circuit Court of Appeals is much to be regretted. It leaves the opinion of the lower court, embodying this disruptive principle, standing as the word of interpretation upon the Elkins law. Hope is still held out that the case may yet be brought before the Supreme Court. Failing this, we are partially promised the obviously necessary amendments to the law. But for the moment, at any rate, the ruling holds, and its effect is to emphasize the difficulty of restrictive legislation against the trusts and the substantial failure of the agitation of the last few years to produce any visible results.

## THE ALDERMEN ON PLAYGROUNDS.

Alderman Wood's argument that playgrounds are little more than the cradling-place, not to say the incubator, of mollycoddles, interesting as it was, could hardly have been sufficient to bring about the breaking of the ordinance, as passed by the Council. That unwelcome result was, on the whole, precipitated from a different system of reasoning. Velvet-footed opposition by a few "interests" and the curious impression that the city was about to part forever with a piece of property suddenly grown enormously valuable have been assigned, without contradiction, as leading impulses in the fight against the Seabrook site. The almost unanimous vote of the Aldermen forbids the idea that the preferences of one or two saloonkeepers should have been a dominating influence. The opinion survives that our upper city fathers deem the playground movement as so much harmless nonsense, deserving only a mild indulgence as a sort of kindly concession to the more effeminate elements in the community.

To eliminate the Seabrook lot, hitherto not represented as an unsuitable spot for children, was to pluck out the brightest jewel in the playground dream. We regard this as unfortunate. To imagine that the ordinance as framed committed the city to any irrevocable step seems singularly unwarranted. The equipment of a playground includes little that a dray and a pair of mules could not move away at a day's notice. Friends of the playground movement are not wholly unintelligent, not altogether without ordinary business sense. We are confident that they would have cheerfully surrendered the property, at any time, if it had been demonstrated that the city could advantageously sell it, or that its immediate rental value was great enough to outweigh the claims of the children. Moreover, the elimination of the Seabrook site throws the whole ordinance back to the Council. An unfortunate possibility is that the lower body, on reconsideration and with the example of the Aldermen before them, may find other flaws in the plan and decide that still other lots ought to be blue-pencilled from the schedule recently approved by them.

## PRODUCERS AND CONSUMERS.

A common speciousness of the protectionists' theories appears in the contention of the Washington Post that the consuming and producing classes are, in effect, identical, and hence that there can be no conflict of interest between them. The argument that these two classes have opposed wishes as regards the tariff "might be true," the Post thinks, "if the consumers were not compelled to produce that they might consume." And again: "The consumers of the country are equally producers except for the drones, the help, and those who are enforced to idleness by want of opportunity."

We fancy that there are certain groups in the Post's own community which may not be pleased with this

rough-and-ready classification. There are the professional classes, for example, the government clerks, the members of Congress. Surely these hard-working consumers are neither "drones" nor "helpless." Yet in what genuine sense are they "equally producers?" In what way do they benefit from high production? What dutiable commodities, in fact, do they produce "that they might consume?"

## PAYMENTS IN GLORY.

The esteemed Newport News Times-Herald, in a good-natured paragraph, intimates that there is something approaching the sordid in our suggestion that States should not require their high officials to take part of their pay in glory. "That," muses our contemporary, "seems to be the tendency of the age. To hedges with your honor and glory. Give us the mon. One cannot seriously contend, however, that it is an inspiring doctrine."

We were not, of course, interested so much in making a suggestion that was inspiring as in making one that was practical. Probably the question of salaries is never an especially thrilling or uplifting one. Yet it hardly follows that such a question is beneath the discussion of self-respecting men. Certainly there appears to us nothing polluted in the suggestion that the people as a whole should not practice financial economies upon those whom they elect to honor. Poor men of high abilities should be enabled to serve their States without heavy money sacrifices. If these States were so poverty-stricken that they were unable to reward their servants properly, such sacrifices would be highly honorable; but the essential and permanent connection between parsimony and patriotism is not easy to trace.

The Times-Herald's objection, we take it, is based on the belief that we propose to put a cash value on glory. But what else are the people doing when they throw in the glory to fill the financial vacuum left by marked underpayment? There appears, when we come to think of it, no antithesis between glory and more negotiable recompense. It might even be urged that an office at \$25,000 a year would reflect more glamor upon its occupant than the same office at \$3,000 a year. Nor is there danger that the "glory recompense" would ever disappear, since, whatever salaries are paid, the kind of men that Virginia wants and should have as her Governors could always have earned more by turning their talents in other directions.

## EXPERIMENTS WITH CAPITAL PUNISHMENT.

After virtually doing away with capital punishment for a period of eight years, France reintroduced it the other day. Her course is paralleled by that of Iowa, in this country, and by other countries and legislative districts in various parts of the world. The New York Evening Post, commenting upon the decision of France, truly says that "spasmodic advances, hesitations and retreats" are characteristic of the whole movement for the abolition of the death penalty. The Post states a more important truth when it adds: "Yet the very fact that, in spite of setback after setback, the question comes up again and again, shows conclusively that the moral instinct of man is repugnant to legalized slaying."

Debated to tatters as it has been in a thousand high schools, the question of capital punishment still remains an open one. The relation of the death penalty to crime can be determined only by a longer test than any government has yet been willing to give to it. Reform legislators in this field have difficulty in keeping a grip on the courage of their convictions. Yet in half a dozen of our States, as well as in several of the smaller states of Europe, the killing of criminals has been discontinued.

The pendulum has already swung far since early days in England, when a man was hanged for cutting down a tree or impersonating a Greenwich pensioner. Most of the impulse away from these extremes has been purely humanitarian. But added to this has been the practical question of expediency. Many persons have thought that the death penalty is not, in fact, the most effective deterrent to crime. Murder, being commonly a crime of passion, is hardly to be regulated on the basis of a nice weighing of the probable punishments to follow. If the certainty of death would stay the hand of an intending slayer, doubtless the certainty of a lifetime in prison would also do it. And for the effect upon society, great minds have argued that capital punishment falls in that it permanently removes the one punished from the eyes of men. Old Plato saw that one of the two prime purposes of punishment was that the unfortunate should "serve as an example to the rest of mankind, that others, seeing the sufferings he endures, may be brought by fear to amendment of life." Dead men tell no tales; neither does the eliminated wrongdoer long "serve as an example to the rest of mankind."

Almost any one can guess in three tries what Congress would do to the proposal to increase the President's salary, supposing and assuming that it applied to the present incumbent.

Of course, what makes Senator Tillman's conduct in the land matter so particularly outrageous is his personal opinion of Mr. Roosevelt.

"Theodore" means the gift of God. You can't blame Congress for smiling rather bitterly at that.

We understand that Senator Tillman also bought groceries in his official capacity. Out upon the rascal!

It is a satisfaction that Common Councils like Pittsburgh's are not any commoner.

The South does not necessarily vote as it barbedes, either.

## Borrowed Jingles

### CAPILLARY DETRACTION.

A phrase of great import.  
 I'm hearing every day—  
 A sentence of the sort  
 That chases joy away.  
 A string of words it is  
 That makes my spirits drop  
 Straight down to zero—viz:  
 "It's growing thin on top!"

At times, I won't believe,  
 I scorn, I deride, I ignore,  
 At times I scorn, I deride, I ignore,  
 With remedies galore.  
 But all of no avail;  
 A tangle of human error  
 Inspires without fail  
 "It's growing thin on top!"

In vain I've cried, "Enough!"  
 And, in an awful rage,  
 A monumental puff,  
 I've blown my nostrils through  
 From barbers whom I know  
 To some compelling shop.  
 In vain! I'm met with, "Oh!  
 'It's growing thin on top!"

Ah, in the life to come,  
 Upon that southern shore,  
 When all our cares are dumb,  
 And barbers have no more,  
 I hope St. Peter's staff  
 Will suggest a drop  
 That he unlock the gate  
 "Good gracious! What a mop!"  
 —New York Times.

### MERELY JOKING.

Rare Self-Control.  
 "He's a remarkable man. When he sees an unfamiliar word he looks it up in the dictionary and finds out what it means."  
 "Nothing so remarkable about that."  
 "Yes, but he doesn't try to lug it into the conversation right away."—Washington Herald.

Many Are Mentioned.  
 "Yes, he was in the 'raft' cabinet."  
 "Before or after March 4th?"—Pittsburgh Post.

Classified.  
 "There are two kinds of borrowers."  
 "And they are?"  
 "The fellow who borrows \$5 from you every week and pays it back, and the fellow who borrows \$5 and calls it square."—Harrisburg Post.

Made a Difference.  
 He: "Would you like to take a spin with me on the bridge path?"  
 She: "Church or park?"—Pittsburgh Post.

Externally Speaking.  
 Johnny: "The camel can go eight days without water."  
 Freddy: "So could I if ma would let me."—Harrisburg Post.

Dust Settles.  
 A sign hung in a conspicuous place in a store in New York City.  
 "Man is made of dust. Dust settles. Are you a man?"—Boston Herald.

These Radical Remedies.  
 "I notice a man who had a cold in his head has committed suicide."  
 "Poor fellow! Now what fool tried cold remedies?"—Philadelphia Ledger.

THE MEERY KNOCKERS.  
 DISTANCE cannot impair the intrinsic value of our advice. If Mr. Roosevelt is earnest and anxious about any of his policies, let him send a message to Congress asking the good and hard. That may help to get them through.—Houston Post.

The battle is not yet won in New York's fight for 80-cent gas. The courts have been heard from, but the meter has not.—Baltimore American.

Turkey's new motto, "Work, peace and progress," would not be a bad fit even for a Christian country.—Boston Transcript.

"Gentlemen may cry, 'Peace, peace,' but nobody in particular seems to hear them."—Washington Herald.

We know why they call it "deer hunting." In New York \$125,000 was paid for licenses to hunt 31,800 worth of venison.—Detroit News.

Meanwhile, private pension bills glide swiftly and serenely and smoothly through Congress at the rate of several per minute. These are the single subjects upon which there are no hard feelings.

PERSONAL AND GENERAL.  
 A. Radiately Dugmore, whose work in outdoor photography is well known, has just gone to Europe for a trip of eight months or a year to be entirely devoted to photographing big game.

Consul Felix S. Johnson, of Bergen, sent the military members of a Fourth and Sport Exposition and Exhibition of Domestic Industries which is to be held in that Norwegian city in the summer of 1909.

Canadians are desirous of transporting grain from the Atlantic and Eastern markets, with an allowance of 35,000,000 bushels for feed and foodstuffs, the value of which would be \$30,000,000.

A. Alexander Graham Bell, who has been working for the past fifteen years on learning to fly in heavier-than-air machines, is pursuing these experiments using many thousands of redwood ties on the coast. They are also getting oak ties from Japan.

A remarkable effect of pile-driving was lately observed at Rotterdam. On withdrawing some piles that had been rammed through quicksand by 150 to 200 strokes per minute, the points were found to be charged with electricity ignited spontaneously or contact with the air.

It is interesting to the mothers of debutantes to know that at the very expensive reception given Miss Margery Gould by her father, the Duke of Devonshire, the studied simplicity. There was no ornament in her gown, which was "modified directoire" of Greek in style, and she wore not a single jewel.

But three men survive of the party of fifty who left Belfast, Me., on December 8, 1859, in the bark William O. Alden, for a voyage around the world. They are William W. West, of Boston; Henry J. Woods, of New York, and Lorenzo G. Combs, of Globe, Ariz.

## SOUTHERN REPUBLICANS.

Comments on Taft's Showing Below Mason and Dixon Line.  
 A Republican South is coming. The Bourbon pulpheads might as well face the facts. Truth is truth, and good politics is good politics, no matter how much the class who learn nothing and forget nothing may fancy that they have succeeded in keeping the South out of government to a petrification.

The five Southern States along the border were Republican in their aggregate vote this year. Alabama, Georgia, South Carolina and Tennessee, North Carolina and Arkansas, their total vote last month was: Taft, 342,000; Bryan, 412,000. There are no longer tenable. Georgia's vote was: Taft, 41,802; Bryan, 72,421.

The Democratic party is breaking in that State also. Bryan's plurality in Texas was scarcely half what it was in 1896. One-fourth of Florida's vote last year was Republican. The Southern States, where Bourbonism still reigns supreme, are only three—South Carolina, Mississippi and Louisiana—which respectively gave Taft but 3,847, 4,822 and 8,955 votes. Taft received in the States that were slave territory in 1861 a total of 1,384,000 votes, and in the States that were free territory in 1861 a total of 1,384,000 votes, and in the States that were free territory in 1861 a total of 1,384,000 votes.

The Master Mechanic.  
 Having used the steam roller with good effect at Chicago, Mr. Taft is on his way to the West, where the steam shovels are doing down that way.

—St. Louis Times.

## The Courts of Europe

By La Marquise de Fontenay.

### Giddy Gauls at Court of Saxony.

KING FREDERICK AUGUSTUS OF SAXONY appears to be singularly unfortunate in the selection of his professors of French. The first of these tutors, entrusted with the task of imparting to the young prince the idiomatic graces of the French language, perfection in which is indispensable to royalty, since the language of courts and diplomacy is never learned by rote. The King's tutor, who was a Professor of Law, who last summer was the victim of an alleged assassination at the King's suburban chateau of Wachenitz. When it was ascertained that the serious rents in his head were caused by a blow which was declared had been wrought by the knives of his assassins, did not in any way correspond with the number of blows which the King's tutor had inflicted upon the King's head. The King's tutor, who was a Professor of Law, who last summer was the victim of an alleged assassination at the King's suburban chateau of Wachenitz. When it was ascertained that the serious rents in his head were caused by a blow which was declared had been wrought by the knives of his assassins, did not in any way correspond with the number of blows which the King's tutor had inflicted upon the King's head.

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has lodged a strong protest at St. Petersburg, demanding to know whether the envoy had acted in the matter in compliance with instructions received from the government. In the latter event, his recall is requested. Bulgaria feels that in the present condition of affairs she can afford to take no much more indulgence toward Russia than heretofore, since, if Austria goes to war, her splendidly equipped and well trained army will be a much more formidable factor in the balance of power. The dual empire and an extremely important factor in the balance of power. The latter she would expect to emerge with the acquisition of Macedonia as her share in the spoils.

## THE PRESIDENT'S SALARY.

### Reasons for Increasing It Are Mainly Social.

It has been generally recognized for some time that the President's salary is inadequate. Undoubtedly it sufficed as a means of support for the President and his family, but it was not a very large one. The President's salary was far less than that of the President of the United States. He traveled little and did little entertaining. Social precedents then required only a few hundred dollars. But the country has grown. Washington has become a larger and more important city. The President's salary has become a larger and more important factor in the balance of power. The latter she would expect to emerge with the acquisition of Macedonia as her share in the spoils.

There are probably ten guests expected at the White House for one in the days of President Harrison or President Cleveland. Many more distinguished foreigners now visit Washington, and the President's salary is a much larger number of his fellow-citizens. He must also travel more, and Congress recognized the importance of his position. It is a traveling expense when it recently appropriated \$25,000 a year to be drawn on as a travel fund. It is a traveling expense when it recently appropriated \$25,000 a year to be drawn on as a travel fund.

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## INJURIES TO WORKMEN.

### Reasons Why They Should Be a Charge of the Industry.

Clearly, it would seem, the workman should be compensated for injuries that befall him through the fault of his employer; through the inevitable risks of the industry, or through the negligence of the workman. But there are accidents that befall him through his own negligence, perhaps three-tenths of all. Why, in any view of the case, should he be compensated for these? Ordinary care, as weighed by juries under the instructions of courts, really comes to mean a degree of care which is not very high. The juror in the serene atmosphere of the courtroom undoubtedly very much overestimates the presence of danger in the work of the workman. In any view of the case, should he be compensated for these? Ordinary care, as weighed by juries under the instructions of courts, really comes to mean a degree of care which is not very high.

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## RIGHT TO BE A WOMAN.